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United States Department of Agriculture

BUREAU OF BIOLOGICAL SURVEY

SERVICE AND REGULATORY ANNOUNCEMENTS

REGULATIONS FOR THE ADMINISTRATION OF THE UPPER MISSISSIPPI RIVER WILD LIFE AND FISH REFUGE

Pursuant to the authority and direction contained in the Upper Mississippi River wild life and fish refuge act of June 7, 1924 (43 Stat. 650), we, the Secretary of Agriculture and the Secretary of Commerce, respectively, prescribe and order that all lands and lands and waters already acquired or that may hereafter be acquired under the terms of said act are hereby established and shall be maintained (*a*) as a refuge and breeding place for migratory birds included in the terms of the convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and (*b*) as a refuge and breeding place for other wild birds, game animals, fur-bearing animals, and for the conservation of wild flowers and aquatic plants, and (*c*) as a refuge and breeding place for fish and other aquatic animal life, said refuge to be known as the Upper Mississippi River Wild Life and Fish Refuge and to be administered in accordance with said act and regulations thereunder. By virtue of the authority conferred upon said Secretaries the following regulations are hereby jointly and severally made and prescribed:

REGULATIONS OF THE SECRETARY OF AGRICULTURE IN RESPECT OF WILD BIRDS, GAME ANIMALS, FUR-BEARING ANIMALS, WILD FLOWERS, AND AQUATIC PLANTS

Regulation 1–A

SECTION (a). Hunting and taking of wild animals and birds will be permitted in the refuge only on areas to be designated by the Secretary of Agriculture. Such hunting and taking of wild animals and birds shall be subject to the requirements of these regulations and instructions issued thereunder and to all State laws; hunting and taking of migratory birds shall also be subject to the regulations made under the migratory bird treaty act.

SECTION (b). Carrying or having in possession firearms on areas not opened to hunting without permit of the superintendent of the refuge is prohibited except on highways or thoroughfares.

SECTION (c). Permitting dogs to run at large is prohibited.

SECTION (d). Taking any nongame bird, or taking the nest or egg of any bird, except under permit of the Secretary of Agriculture, is prohibited.

Regulation 2–A

Game animals and fur-bearing and predatory animals may be hunted, taken, or trapped only under permit of the superintendent of the refuge.

Regulation 3–A

Flowers, plants, trees, or other natural growth may be taken or collected only under permit of the superintendent of the refuge.

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REGULATIONS OF THE SECRETARY OF COMMERCE IN RESPECT OF FISH AND OTHER AQUATIC ANIMAL LIFE

Regulation 1–C

SECTION (a). Except as otherwise provided in these regulations or in the instructions issued thereunder, fish may be taken in all navigable waters within the boundaries of the refuge in accordance with State laws.

SECTION (b). Except within areas specifically closed to fishing by the Secretary of Commerce, fish may be taken in nonnavigable streams, sloughs, landlocked ponds, and lakes only with hook and line and in accordance with State laws.

SECTION (c). Except in areas specifically closed to fishing by the Secretary of Commerce, mussels and other forms of aquatic animal life may be taken in accordance with State laws.

SECTION (d). On areas to be designated by the Secretary of Commerce as needed for the propagation and distribution of fish by the Bureau of Fisheries or by the State the taking of fish or aquatic animal life of any kind is prohibited.

JOINT REGULATIONS OF THE SECRETARY OF AGRICULTURE AND THE SECRETARY OF COMMERCE

Regulation 1–AC

The enforcement of the law and the regulations made pursuant thereto shall be under the direction of the superintendent of the refuge.

Regulation 2–AC

Any person may enter the refuge for any lawful purpose provided he complies with the provisions of these regulations and instructions issued thereunder.

Regulation 3–AC

Injuring, removing, or destroying any tree, boat, notice, signboard, fence, building, or other property of the United States is prohibited, except as authorized by these regulations or instructions issued thereunder.

Regulation 4–AC

All birds, animals, fish, or parts thereof, captured, injured or killed, all flowers, plants, trees, and other natural growths and nests and eggs of birds removed, and all implements or paraphernalia, including guns, fishing equipment, and boats used or attempted to be used, contrary to the provision of this act or any regulation made pursuant thereto, shall, when found by an employee of the Department of Agriculture or the Department of Commerce, marshal or deputy marshal, be summarily seized by him and placed in the custody of the superintendent of the refuge.

Regulation 5–AC

Permits for special uses, such as removal of timber, cutting of hay, etc., may be granted by the superintendent of the refuge, under such terms and conditions as the Secretary of Agriculture may prescribe. Applications for such permits should be made to the superintendent of the refuge.

Permits for the following uses may be issued by the superintendent of the refuge without charge:

(1) Public uses by any department or branch of the Federal or State Governments, including municipalities, when no profit is to be derived from said uses.

(2) Lands occupied for semipublic use by associations or organizations where such lands are open to the use of the public upon a noncommercial or a nonprofit making basis, including lands occupied by shelter huts, camp grounds, etc., open to free use by the public.

(3) Telephone lines with free use and free connection by the Bureau of Biological Survey and the Bureau of Fisheries. Telegraph lines with free use of poles for attaching thereon telephone lines for official use of the refuge.
(4) Roads and trails which are free public highways.
(5) Stone, earth, and gravel used for projects constructed under permits or for the construction or maintenance of public roads and trails.
(6) Fish hatcheries of a noncommercial nature as approved by the Bureau of Fisheries.
(7) Sewerage systems.
(8) Signs intended for the guidance or information of the public, but not those which in any respect are for advertising purposes.

Regulation 6–AC

Camping without permit may be permitted within the discretion of the superintendent of the refuge.

Regulation 7–AC

The following acts are prohibited on the refuge:
SECTION (a). Setting on fire or causing to be set on fire any timber, brush, grass, or other soil cover, except as authorized by the superintendent of the refuge.
SECTION (b). Building a camp fire in leaves, rotten wood, or other places where it is likely to spread, or against logs or stumps, where it is difficult to extinguish it.
SECTION (c). Building a camp fire in a dangerous place, or during windy weather without confining it to holes or cleared spaces from which all vegetable matter has been removed.
SECTION (d). Leaving a camp fire without completely extinguishing it.

[SEAL.] (Signed) W. M. JARDINE
Secretary of Agriculture.

[SEAL.] HERBERT HOOVER
Secretary of Commerce.

WASHINGTON, D. C., *June 24, 1927.*

NOTE.—Any person who shall violate or fail to comply with any provision of or any regulation made pursuant to the upper Mississippi River wild life and fish refuge act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars ($500) or by imprisonment not more than six (6) months, or both (sec. 11, 43 Stat., 652).

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